
By: **Delegates Cardin, Benson, Bronrott, Hubbard, Kaiser, Leopold, Mandel,
Montgomery, Parker, Quinter, Rosenberg, and F. Turner**

Introduced and read first time: February 2, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Cigarette Licenses - Disciplinary Authority - Grounds**

3 FOR the purpose of authorizing the State Comptroller to deny, reprimand, suspend,
4 or revoke a cigarette license of an applicant or licensee if an applicant or licensee
5 is held liable for or convicted of selling tobacco to minors in violation of certain
6 civil and criminal laws; and generally relating to grounds for applying
7 disciplinary authority over cigarette licenses.

8 BY repealing and reenacting, with amendments,
9 Article - Business Regulation
10 Section 16-210(a)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2003 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Business Regulation**

16 16-210.

17 (a) Subject to the hearing provisions of § 16-211 of this subtitle, the
18 Comptroller may deny a license to an applicant, reprimand a licensee, or suspend or
19 revoke a license if the applicant or licensee:

20 (1) fraudulently or deceptively obtains or attempts to obtain a license for
21 the applicant or licensee or for another person;

22 (2) fraudulently or deceptively uses a license;

23 (3) fails to comply with the Maryland Cigarette Sales Below Cost Act or
24 regulations adopted under that Act;

25 (4) fails to comply with the provisions of Title 11, Subtitle 5A of the
26 Commercial Law Article;

- 1 (5) buys cigarettes for resale:
- 2 (i) in violation of a license; or
- 3 (ii) from a person who is not a cigarette manufacturer, licensed
- 4 subwholesaler, licensed vending machine operator, or licensed wholesaler;
- 5 (6) is convicted, under the laws of the United States or of any other state,
- 6 of:
- 7 (i) a felony; or
- 8 (ii) a misdemeanor that is a crime of moral turpitude and is directly
- 9 related to the fitness and qualification of the applicant or licensee; [or]
- 10 (7) has not paid a tax due before October 1 of the year after the tax
- 11 became due; OR
- 12 (8) IS LIABLE FOR OR CONVICTED OF SELLING TOBACCO TO MINORS IN
- 13 VIOLATION OF:
- 14 (I) § 10-107 OF THE CRIMINAL LAW ARTICLE; OR
- 15 (II) A CIVIL OR CRIMINAL LAW UNDER A COUNTY CODE.
- 16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 17 October 1, 2004.